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In re Application of Ragsdale et al.
Application No. 10/615,283

REMARKS

The Pending Claims

Claims 1, 2, and 17-20 have been amended without prejudice or disclaimer of the subject matter originally recited therein, and new claims 33 and 34 have been added. Thus, claims 1, 2, and 17-34 currently are pending.

Summary of the Office Action

The Office Action rejects claims 1, 2, and 17-32 under 35 U.S.C. § 112, second paragraph, as allegedly indefinite for failing to particularly point out and distinctly claim the subject matter which Applicants regard as their invention.

The Office Action also rejects claims 1, 2, and 17-32 under 35 U.S.C. § 103(a) as allegedly unpatentable over U.S. Patent No. 6,569,927 (Gelbin) (hereinafter "the Gelbin '927 patent") in view of U.S. Patent No. 6,022,946 (McCullough, Jr.) (hereinafter "the McCullough '946 patent").

Discussion of the Section 112 Rejections

Applicants respectfully maintain that the claims pending prior to entry of the foregoing amendments particularly pointed out and distinctly claimed the subject matter which Applicants regard as their invention. Nevertheless, in an effort to advance prosecution of the present application, the claims have been amended to recite that the composition comprises a polyol in addition to the benzotriazole, lactone-based antioxidant, and fourth component (e.g., secondary phenylamine, hindered phenol, or combination thereof). Applicants respectfully submit that the foregoing amendments render the Section 112, second paragraph, rejections moot. Therefore, the rejections should be withdrawn.

Discussion of the Section 103 Rejection

As noted above, the pending claims have been amended to recite that the composition comprises a polyol, benzotriazole, lactone-based antioxidant, and fourth component (e.g., secondary phenylamine, hindered phenol, or combination thereof). Neither the Gelbin '927 patent nor the McCullough '946 patent appear to disclose or suggest a composition containing the recited combination. Indeed, the cited references fail to even mention polyols, much less teach or suggest a composition

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comprising a polyol in combination with a benzotriazole, lactone-based antioxidant, and secondary phenylamine and/or hindered phenol.

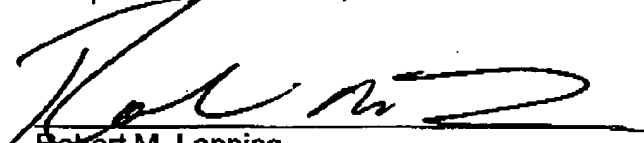
Furthermore, as previously noted by Applicants, both the Gelbin '927 patent and the McCullough '946 patent are generally concerned with the stabilization or deactivation of thermoplastic resins, such as polypropylene. Neither reference teaches or suggests that the particular compounds and/or methods disclosed therein can be used in the manufacture of thermoset foams, such as a polyurethane foam. Therefore, Applicants respectfully submit that one of ordinary skill in the art, having read the cited references, would not have been motivated to modify the particular compositions disclosed therein by adding a polyol.

In view of the foregoing, Applicants respectfully submit that the subject matter defined by the pending claims is patentable over the cited references. Therefore, Applicants respectfully request that the Section 103 rejection be withdrawn.

Conclusion

In view of the foregoing, the application is considered in proper form for allowance, and the Examiner is respectfully requested to pass this application to issue. If, in the opinion of the Examiner, a telephone interview would expedite prosecution of the Instant application, the Examiner is invited to call the undersigned.

Respectfully submitted,



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